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11 **UNITED STATES DISTRICT COURT**
12 **EASTERN DISTRICT OF CALIFORNIA, FRESNO DIVISION**
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14 LUIS RODRIGUEZ,
15 Plaintiff,

16 v.

17 FRESNO POLICE OFFICER REY
18 MEDELES; FRESNO POLICE OFFICER
19 GUSTAVO GUTIERREZ; UNKNOWN
20 LOCAL AND FEDERAL LAW
21 ENFORCEMENT OFFICERS; THE CITY OF
22 FRESNO,

Defendant.

Case No. 1:23-CV-01471-JLT-SKO
[Hon. Jennifer L. Thurston, Dist. Judge; Hon.
Sheila K. Oberto, M. Judge]

**ORDER RE STIPULATION RE
MODIFICATION OF COURT'S
SCHEDULING ORDER**

(Doc. 41)

23 TO THE HONORABLE COURT

24 IT IS HEREBY STIPULATED by and between Plaintiff LUIS RODRIGUEZ (“Plaintiff”)
25 and defendants CITY OF FRESNO, FRESNO POLICE OFFICER GUSTAVO GUTIERREZ
26 (“Defendants”), the parties, as follows:

27 1. Due to unforeseen circumstances explained below, the parties must request another
28 continuance of the case management schedule.

2. On August 16, 2024, this Court signed an order continuing the case management deadlines at the request of the parties.

3. On August 20, 2024, a trial was unexpectedly set for lead counsel for defendant City of Fresno. That case is set to begin November 12, 2024. *Dominguez v. County of Los Angeles, et al.* 2:21-cv-06369.

4. Lead counsel for City of Fresno already had another matter set for trial also scheduled to begin November 12, 2024. *Rios v. City of Azusa, et al.* 2:22-cv- 03968

5. Having two trials set for November 2024 significantly impacts counsel for City of Fresno's ability to complete fact discovery by the December deadline and to adequately prepare for depositions.

6. Moreover, on August 23, 2024, another member of the defense team for City of Fresno learned that her father was terminally ill requiring her to make arrangements for end of life care. These arrangements are ongoing, but required the most work in the last three weeks since learning of his prognosis.

7. Counsel for the other parties were informed of these unexpected developments and graciously agreed to continue the case management schedule.

8. As such, the parties jointly stipulate and respectfully request that this Court issue an Order modifying the Scheduling Order to continue all case management dates and the trial date as specified below or at a date that is convenient for the court.

9. This is the second request by the parties for a request to modify the scheduling order.

STIPULATION RE CONTINUANCE OF DISCOVERY DEADLINES.

10. In light of the foregoing Good Cause, the parties hereby stipulate and respectfully request a continuance of the Court's Scheduling Order as follows:

EVENT	CURRENT DEADLINE	REQUESTED DEADLINE
Non-Expert Discovery	December 20, 2024	August 1, 2025
Expert Disclosures	March 3, 2025	August 29, 2025
Rebuttal Expert Disclosures	April 9, 2025	September 26, 2025
Expert Discovery	May 28, 2025	October 31, 2025
Non-Dispositive Motion Deadlines	June 20, 2025	November 14, 2025

Dispositive Motion Deadlines	June 20, 2025	November 14, 2025
Pre-Trial Conference	September 22, 2025	May 18, 2026
Trial	November 18, 2025	August 25, 2026

11. This Stipulation may be signed in counterpart and a facsimile or electronic signature shall be as valid as an original signature.

DATED: September 17, 2024

Respectfully submitted,
MANNING & KASS
ELLROD, RAMIREZ, TRESTER LLP

By: /s/ Mildred K. O'Linn
Mildred K. O'Linn, Esq.
Lynn L. Carpenter, Esq.
Maya R. Sorensen, Esq.
Attorneys for Defendants, CITY OF
FRESNO, FRESNO POLICE OFFICER
GUSTAVO GUTIERREZ

DATED: September 17, 2024

WEAKLEY & ARENDT, PC
By: /s/ James D. Weakley
James D. Weakley
Brandi L. Gustafson
Attorneys for Defendants, REY MEDELES

DATED: September 17, 2024

LAW OFFICES OF KEVIN LITTLE
By: /s/ Kevin Little (as authorized on
September 17, 2024)
Kevin Little
Attorneys for Plaintiff, LUIS
RODRIGUEZ

ORDER

Pursuant to the Court's inherent and statutory authority, including but not limited to the Court's authority under the applicable Federal Rules of Civil Procedure and the United States District Court, Eastern District of California Local Rules; after due consideration of all of the relevant pleadings, papers, and records in this action; and upon such other evidence or argument as was presented to the Court; Good Cause appearing therefore, and in furtherance of the interests of justice,

IT IS HEREBY ORDERED that the scheduling order dates are continued as follows:

EVENT	CURRENT DEADLINE	NEW DEADLINE
Non-Expert Discovery	December 20, 2024	August 1, 2025
Expert Disclosures	March 3, 2025	August 29, 2025
Rebuttal Expert Disclosures	April 9, 2025	September 26, 2025
Expert Discovery	May 28, 2025	October 31, 2025
Non-Dispositive Motion Deadlines - Filing	June 20, 2025	November 14, 2025
Non-Dispositive Motion Deadline - Hearing	July 30, 2025	January 7, 2026
Dispositive Motion Deadlines - Filing	June 20, 2025	November 21, 2025
Dispositive Motion Deadlines - Hearing	July 25, 2025	January 9, 2026
Pre-Trial Conference	September 22, 2025	May 18, 2026
Trial	November 18, 2025	August 25, 2026

IT IS SO ORDERED.

Dated: September 30, 2024

/s/ Sheila K. Oberto
UNITED STATES MAGISTRATE JUDGE